

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

BLUEFIELD DIVISION

DAVID HALE,	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO. 1:10-01249
	)	
MICHAEL J. ASTRUE,	)	
Commissioner of Social Security,	)	
Defendant.	)	

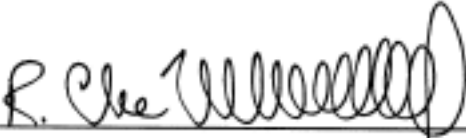
**MEMORANDUM OPINION AND ORDER**

The Defendant, Michael J. Astrue, Commissioner of the Social Security Administration, by counsel, Christopher Krivonyak, Assistant United States Attorney for the Southern District of West Virginia, has moved the Court to remand this case to the Commissioner pursuant to the provisions of sentence four of 42 U.S.C. § 405(g). (Document No. 18.) Counsel for the Defendant asserts that on remand, “the ALJ will further evaluate Plaintiff’s mental residual functional capacity and obtain vocational expert testimony on the degree to which any non-exertional limitations affect Plaintiff’s occupational base of work.” (Id.) Counsel further states that counsel for Plaintiff concurs in the Motion. (Id.) Both parties have consented to disposition by the United States Magistrate Judge. (Document Nos. 5 and 6.)

Accordingly, there being good cause for the parties’ Motion for Remand and there being no objection, it is hereby **ORDERED** that the Joint Motion for Remand (Document No. 18.) is **GRANTED**. This case is **REMANDED** to the Commissioner of Social Security for further proceedings before an Administrative Law Judge as specified by the Commissioner in his Motion for Remand pursuant to the provisions of sentence four of 42 U.S.C. § 405(g).

The Clerk is directed to send a copy of this Order to counsel of record.

ENTER: April 26, 2011.

  
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R. Clarke VanDervort  
United States Magistrate Judge